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Jeffrey L. O'Hara  
Connell Foley LLP  
85 Livingston Avenue  
Roseland, New Jersey 07068  
(973) 535-0500  
Attorneys for Plaintiff, KFC Corporation

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KFC CORPORATION, a Delaware  
Corporation,

Civil Action No. 08-2106 (JEI)

Plaintiff,

v.

**PERMANENT INJUNCTION BY  
CONSENT**

SANLIN OF GLASSBORO, INC., a  
Pennsylvania Corporation; SANLIN OF  
TURNERSVILLE, INC., a Pennsylvania  
Corporation; JOHN D. MONTE, an  
individual; and MAURUS N. PETRUZZI, an  
individual,

Defendants.

**THIS MATTER** having been opened to the Court by plaintiff KFC Corporation ("KFCC"), by its attorneys, Connell Foley, LLP, and by defendants, Sanlin of Glassboro, Inc., Sanlin of Turnersville, Inc., John D. Monte, and Maurus N. Petruzzi (collectively "Defendants"), seeking the entry of a Permanent Injunction against Defendants, and it appearing that Defendants, having decided to resolve KFCC's claim for injunctive relief by entering into a Permanent Injunction by Consent, agreed to the following:

IT IS on this 1st day of October, 2008,

**ORDERED** that Defendants and their employees, agents, members, affiliates, subsidiaries, officers, directors, representatives, independent contractors, and all those who act in concert or participation with them, are hereby permanently enjoined and restrained from:

- (a) making, using, or availing themselves of any of KFCC's trademarks, service marks, trade dress and other intellectual property ("KFCC Marks"), methods of preparation and service of KFC brand chicken and other food products, designs, or other information imparted by KFCC in connection with the Restaurants and from disclosing or revealing any such information or any portion thereof to others;
- (b) occupying, constructing, equipping, ordering, assisting any person or persons in the occupation, construction, or equipping of any premises incorporating the distinctive features or equipment layout which KFCC has originated and developed and which are identifying characteristics or premises operated by KFCC or its franchisees;
- (c) the production and sale of chicken or the operation of a similar business in a location within a radius of ten (10) miles from each of the Restaurants, pursuant to the Franchise Agreements for a period of one (1) year individually or through agents or employees;
- (d) the use and display of KFCC's Marks, and designs; and

- (e) the use and display of any and all signs, menuboard, point-of-sale materials, and printed goods of any kind bearing any KFCC Marks or designs or any reference thereto; and it is further

**ORDERED** that Defendants and their employees, agents, members, affiliates, subsidiaries, officers, directors, representatives, independent contractors, and all those who act in concert or participation with them, must immediately return to KFCC all confidential operating manuals, together with all other materials containing any of KFCC's trade secrets, confidential materials, operating instructions or business practices used in the restaurants; and it is further

**ORDERED** that the injunction described above encompasses, but is not limited to, the use of any and all print or telecommunications advertisements, drafts, labels, signs, flyers, stationery, envelopes, applications, booklets, brochures, catalogues, circulars, pamphlets, periodicals, bulletins, instructions, minutes, other communications, purchase orders, contracts, agreements, options to purchase, deeds, memoranda of agreements, assignments, licenses, books of account, orders, accounts, working papers, plans, internet sites, domain names and/or e-mail and e-mail addresses that display, in any manner, the KFCC Marks, any derivation of the KFCC Marks, or names and marks confusingly similar to the KFCC Marks; and it is further



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HON. JOSEPH E. IRENAS, U.S.D.J.

Sep. 26, 2008 12:44PM

FRANKEL, PETRUZZI, STEINBER

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215 No. 3062395 P. 31.02/02

We hereby consent to the form and entry of the within Order:

Jeffrey L. O'Hara  
Jeffrey L. O'Hara  
Connell Foley, LLP  
Attorneys for plaintiff, KFC Corporation

Sanlin of Glassboro, Inc. John D Monte

Name: John D Monte

Title: President

Date: 9-24-08

Sanlin of Turnersville, Inc.

Name: John D Monte

Title: Vice President

Date: 9-24-08

John D Monte  
John D. Monte

Maurus N. Petruzzi  
Maurus N. Petruzzi